



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB0575

Introduced 2/6/2009, by Rep. Angelo Saviano

#### SYNOPSIS AS INTRODUCED:

225 ILCS 330/5	from Ch. 111, par. 3255
225 ILCS 330/12	from Ch. 111, par. 3262
225 ILCS 330/13	from Ch. 111, par. 3263

Amends the Illinois Professional Land Surveyor Act of 1989. Makes changes to the definition of "practice of land surveying". In a provision concerning the qualifications of a person applying for license as a Professional Land Surveyor, adds the new requirement that the applicant must have a baccalaureate degree in a related science if they do not have a baccalaureate degree in land surveying from an accredited college or university. In a provision concerning the qualifications of a person applying for license as a Licensed Land Surveyor-in-Training, adds the additional requirement that the applicant must have either (1) an Associate of Science degree in surveying or a related science, at least 24 semester hours of land surveying courses from a Board approved curriculum of an accredited institution, and at least 2 years of land surveying experience verified by a professional land surveyor that was in direct supervision and control of his or her activities, or (2) at least 24 semester hours of land surveying courses from a Board approved curriculum of an accredited institution and at least 4 years of land surveying experience verified by a professional land surveyor that was in direct supervision and control of his or her activities. Effective immediately.

LRB096 04714 ASK 14777 b

1 AN ACT concerning professional regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Professional Land Surveyor Act of  
5 1989 is amended by changing Sections 5, 12, and 13 as follows:

6 (225 ILCS 330/5) (from Ch. 111, par. 3255)

7 (Section scheduled to be repealed on January 1, 2010)

8 Sec. 5. Practice of land surveying defined. Any person who  
9 practices in Illinois as a professional land surveyor who  
10 renders, offers to render, or holds himself or herself out as  
11 able to render, or perform any service, the adequate  
12 performance of which involves the special knowledge of the art  
13 and application of the principles of the accurate and precise  
14 measurement of length, angle, elevation or volume,  
15 mathematics, the related physical and applied sciences, and the  
16 relevant requirements of law, all of which are acquired by  
17 education, training, experience, and examination. Any one or  
18 combination of the following practices constitutes the  
19 practice of land surveying:

20 (a) Establishing or reestablishing, locating, defining,  
21 and making or monumenting land boundaries or title or real  
22 property lines and the platting of lands and subdivisions;

23 (b) Establishing the area or volume of any portion of the

1 earth's surface, subsurface, or airspace with respect to  
2 boundary lines, determining the configuration or contours of  
3 any portion of the earth's surface, subsurface, or airspace or  
4 the location of fixed objects thereon, except as performed by  
5 photogrammetric methods or except when the level of accuracy  
6 required is less than the level of accuracy required by the  
7 National Society of Professional Surveyors Model Standards and  
8 Practice ~~the American Congress on Surveying and~~  
9 ~~Mapping designated Classes of Surveying;~~

10 (c) Preparing descriptions for the determination of title  
11 or real property rights to any portion or volume of the earth's  
12 surface, subsurface, or airspace involving the lengths and  
13 direction of boundary lines, areas, parts of platted parcels or  
14 the contours of the earth's surface, subsurface, or airspace;

15 (d) Labeling, designating, naming, or otherwise  
16 identifying legal lines or land title lines of the United  
17 States Rectangular System or any subdivision thereof on any  
18 plat, map, exhibit, photograph, photographic composite, or  
19 mosaic or photogrammetric map of any portion of the earth's  
20 surface for the purpose of recording the same in the Office of  
21 Recorder in any county;

22 (e) Any act or combination of acts that would be viewed as  
23 offering professional land surveying services including:

24 (1) setting monuments which have the appearance of or  
25 for the express purpose of marking land boundaries, either  
26 directly or as an accessory; ~~or~~

1 (2) providing any sketch, map, plat, report, monument  
2 record, or other document which indicates land boundaries  
3 and monuments, or accessory monuments thereto, except that  
4 if the sketch, map, plat, report, monument record, or other  
5 document is a copy of an original prepared by a  
6 Professional Land Surveyor, and if proper reference to that  
7 fact be made on that document;

8 (3) performing topographic surveys, with the exception  
9 of a licensed professional engineer knowledgeable in  
10 topographical surveys that performs a topographical survey  
11 specific to his or her design project. A licensed  
12 professional engineer may not, however, offer topographic  
13 surveying services that are independent of his or her  
14 specific design project; or

15 (4) locating, relocating, establishing,  
16 re-establishing, retracing, laying out, or staking of the  
17 location, alignment, or elevation of any proposed  
18 improvements whose location is dependant upon property  
19 lines;

20 (f) Determining the horizontal or vertical position or  
21 state plane coordinates for any monument or reference point  
22 that marks a title or real property line, boundary, or corner,  
23 or to set, reset, or replace any monument or reference point on  
24 any title or real property;

25 (g) Creating, preparing, or modifying electronic or  
26 computerized data or maps, including land information systems

1 and geographic information systems, relative to the  
2 performance of activities in items (a), (b), (d), (e), through  
3 (f), and (h) of this Section, except where electronic means or  
4 computerized data is otherwise utilized to integrate, display,  
5 represent, or assess the created, prepared, or modified data;

6 (h) Establishing or adjusting any control network or any  
7 geodetic control network or ~~adjusting of~~ cadastral data as it  
8 pertains to items (a) through (g) of this Section together with  
9 the assignment of measured values to any United States  
10 Rectangular System corners, title or real property corner  
11 monuments or geodetic monuments;

12 (i) Preparing and attesting to the accuracy of a map or  
13 plat showing the land boundaries or lines and marks and  
14 monuments of the boundaries or of a map or plat showing the  
15 boundaries of surface, subsurface, or air rights;

16 (j) Executing and issuing certificates, endorsements,  
17 reports, or plats that portray the horizontal or vertical  
18 relationship between existing physical objects or structures  
19 and one or more corners, datums, or boundaries of any portion  
20 of the earth's surface, subsurface, or airspace;

21 (k) Acting in direct supervision and control of land  
22 surveying activities or acting as a manager in any place of  
23 business that solicits, performs, or practices land surveying;

24 (l) Offering or soliciting to perform any of the services  
25 set forth in this Section; and -

26 (m) Critiquing on matters regarding the practice of land

1 surveying as defined by this Act.

2 (Source: P.A. 93-467, eff. 1-1-04.)

3 (225 ILCS 330/12) (from Ch. 111, par. 3262)

4 (Section scheduled to be repealed on January 1, 2010)

5 Sec. 12. Qualifications for licensing.

6 (a) A person is qualified to receive a license as a  
7 Professional Land Surveyor and the Department shall issue a  
8 license to a person:

9 (1) who has applied in writing in the required form and  
10 substance to the Department;

11 (2) (blank);

12 (3) who is of good moral character;

13 (4) who has been issued a license as a Land  
14 Surveyor-in-Training;

15 (5) who, subsequent to passing an examination for  
16 licensure as a Surveyor-In-Training, has at least 4 years  
17 of responsible charge experience verified by a  
18 professional land surveyor in direct supervision and  
19 control of his or her activities; ~~and~~

20 (6) who has passed an examination authorized by the  
21 Department to determine his or her fitness to receive a  
22 license as a Professional Land Surveyor; and ~~and~~

23 (7) who has a baccalaureate degree in a related science  
24 if he or she does not have a baccalaureate degree in land  
25 surveying from an accredited college or university.

1 (b) A person is qualified to receive a license as a Land  
2 Surveyor-in-Training and the Department shall issue a license  
3 to a person:

4 (1) who has applied in writing in the required form and  
5 substance to the Department;

6 (2) (blank);

7 (3) who is of good moral character;

8 (4) who has the required education as set forth in this  
9 Act; and

10 (5) who has passed an examination authorized by the  
11 Department to determine his or her fitness to receive a  
12 license as a Land Surveyor-in-Training in accordance with  
13 this Act.

14 In determining moral character under this Section, the  
15 Department may take into consideration whether the applicant  
16 has engaged in conduct or actions that would constitute grounds  
17 for discipline under this Act.

18 (Source: P.A. 93-467, eff. 1-1-04.)

19 (225 ILCS 330/13) (from Ch. 111, par. 3263)

20 (Section scheduled to be repealed on January 1, 2010)

21 Sec. 13. Qualifications for examination for Licensed Land  
22 Surveyor-in-Training. Applicants for the examination for Land  
23 Surveyor-in-Training shall have:

24 (1) a baccalaureate degree in Land Surveying from an  
25 accredited college or university; or

1           (2) a baccalaureate degree in a related science including  
2 at least 24 semester hours of land surveying courses from a  
3 Board approved curriculum of an accredited institution; ~~or~~

4           (3) an Associate of Science degree in surveying or a  
5 related science, at least 24 semester hours of land surveying  
6 courses from a Board approved curriculum of an accredited  
7 institution, and at least 2 years of land surveying experience  
8 verified by a professional land surveyor that was in direct  
9 supervision and control of his or her activities; or

10           (4) at least 24 semester hours of land surveying courses  
11 from a Board approved curriculum of an accredited institution  
12 and at least 4 years of land surveying experience verified by a  
13 professional land surveyor that was in direct supervision and  
14 control of his or her activities.

15           (Source: P.A. 91-132, eff. 1-1-00.)

16           Section 99. Effective date. This Act takes effect upon  
17 becoming law.